

**BOROUGH OF WATCHUNG**

**ORDINANCE NO. OR:15/14**

**AN ORDINANCE REPEALING AND REPLACING SECTION 18-11, TITLED "GREASE TRAPS", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF WATCHUNG.**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Watchung, in the County of Somerset, State of New Jersey, that Section 18-11, titled "Grease Traps", of the Revised General Ordinances of the Borough of Watchung is hereby repealed and replaced as follows:

**Section 1. Section 18-11, titled "Grease Traps" of the Revised General Ordinances of the Borough of Watchung is hereby repealed and replaced as follows:<sup>1</sup>**

**18-11 GREASE TRAPS.**

a. All restaurants, cafeterias, institutional kitchens and other facilities discharging grease, fats, wax, or oils such that may be detrimental to the sewer system, shall use a grease trap. A garbage grinder shall not be used when a grease trap is required.

b. The grease trap shall be installed and used in accordance with the requirements set forth in the Plumbing Subcode.

c. Grease traps utilized by restaurants, cafeterias, institutional kitchens and other facilities shall be inspected annually by the Health Inspector for the physical presence of a grease trap.

d. All restaurants, cafeterias, institutional kitchens and other facilities ("facilities") using a grease trap shall provide copies of a certification to the Board of Health Secretary, a minimum of three (3) certifications per year, not later than April 30, August 31 and December 31, from a service company that the grease traps have been properly installed, are properly maintained and are

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<sup>1</sup> Editor's Note: The portions to be deleted are shown with strike-outs and will be deleted from the codified version of this Ordinance and the underlined portions will remain in the codified version of this Ordinance.

functioning for their intended purposes ("certification"). Seasonal facilities means those facilities that are not operating for a consecutive part of the year, will only be required to provide the certification to the Board of Health Secretary on those due dates when the seasonal facility is operating. The seasonal facility shall also provide a certification certifying the period when the facility was not in operation to the Board of Health Secretary on those certification due dates when the seasonal facility is not in operation. Sporadic facilities means those facilities which are used at irregular intervals, shall submit the required certification to the Board of Health Secretary on those due dates for that four-month period that the sporadic facility operated, except that a certification certifying when the sporadic facility was not in operation is to be submitted to the Board of Health Secretary on the certification due dates. All seasonal facilities and sporadic facilities shall maintain their grease traps in operating condition and shall submit the required certification to the Board of Health Secretary at least once a year on December 31.

e. In addition to the Borough's other remedies, should the Borough or its agents incur costs to clean the sewer laterals or sewer lines in the vicinity of the restaurant, cafeteria, institutional kitchen or other facility due to grease, fats and/or oils, and/or in otherwise responding to a backup caused by such grease, fats and/or oils, whether or not the restaurant, cafeteria, institutional kitchen or other facility has a grease trap, the owner and operator of the offending restaurant, cafeteria, institutional kitchen or other facility, irrespective of its compliance or noncompliance with the requirements of the Plumbing Subcode Official or paragraph d. above, shall be required to reimburse the Borough and its agents for all such costs.

f. In addition to other penalties and violations set forth in the Revised General Ordinances of the Borough of Watchung, the Borough reserves the right to require existing restaurants, cafeterias, institutional kitchens and other facilities discharging quantities of grease, fats, wax, or oils to install grease traps, if the Borough, due to the discharges from that location, is required to clean its sewer lines, or if the Borough determines that the facility is exceeding the discharge limit for such substances provided in this section.

g. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

1. Any liquid or vapor having a temperature higher than one hundred fifty (150°) degrees Fahrenheit.

2. Any water or waste which may contain more than one hundred (100) parts per million (1,000,000), by weight, of fat, oil or grease.

3. Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.

4. Any ashes, cinders, sand, mud, straw, metal shavings, glass, rags, feathers, tar, plastics, wood or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.

5. Any waters or wastes having a pH lower than six point zero (6.0) or higher than nine point zero (9.0) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.

6. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals or create any hazard in the receiving waters of the sewage treatment plant.

7. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

8. Any noxious or malodorous gas or substance capable of creating a public nuisance.

9. Heat in amounts which will inhibit biological activity in the publicly owned treatment works, resulting in interference with its proper operation and in no case heat in such quantities that the temperature of the water at the publicly owned treatment works treatment plant exceeds one hundred four (104°) degrees Fahrenheit unless the New Jersey Department of Environmental Protection, upon request of the publicly owned treatment works, approves alternate temperature limits.

h. Any person who shall violate any provision of this Section 18-11 shall upon conviction thereof, be punishable by one (1) or more of the following: a fine not exceeding two thousand (\$2,000.00) dollars or imprisonment for a period not exceeding ninety (90) days or to a period of community service not exceeding ninety (90) days at the discretion of the Municipal Court.

Any person who is convicted of violating this within one (1) year of the date of a previous violation of the same provision of this Section 18-11 and who was fined for the previous violation, shall be sentenced by the Municipal Court to an additional fine as a repeat offender. The additional fine imposed by the Municipal Court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum.

Section 2. If any article, section, sub-section, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 3. This Ordinance shall take effect upon final adoption and publication according to law.

**ATTEST:**

**BOROUGH OF WATCHUNG**

Michelle DeRocco, Clerk

By: Stephen K. Pote, Mayor

Introduced: JOREN  
Approved: November 23, 2015  
Published:  
Adopted: